

At a Term of the Supreme Court of the State of New York, held in and for the County of Westchester, at the Courthouse, located at 111 Dr. Martin Luther King Jr. Blvd., White Plains, NY 10601, on the 1<sup>st</sup> day of March 2019.

PRESENT: HON. John P. Colangelo, J.S.C.

STATE OF NEW YORK SUPREME COURT  
COUNTY OF WESTCHESTER

In the Matter of the Application of  
MONICA ZHU & YONGMIN ZHU

Index No.: 53327/2019

for an Order Directing the Retrieval of  
Genetic Material

ORDER TO SHOW CAUSE

Upon reading and filing the annexed Petition of the Petitioners **MONICA ZHU** and **YONGMIN ZHU**, duly sworn to March 1, 2019, the Affirmation of **COPPS DIPAOLA SILVERMAN, PLLC (Joseph R. Williams, Esq.)**, duly sworn to on March 1, 2019, the exhibits annexed hereto, and upon all other pleadings and proceedings heretofore had herein;

And the Petitioners having provided notice to Westchester Medical Center of the application and intended date to make said application on February 28, 2019, prior to filing with the Court;

And Westchester County Medical Center having not objected to the relief requested herein;

NOW, let all parties show cause before the Supreme Court, Westchester County, at the Courthouse located 111 Dr. Martin Luther King Jr. Blvd., White Plains, New York 10601, on the 21 day of March, 2019 at 9:30 AM / ~~PM~~, or as soon thereafter as counsel can be heard, why an order should not be made and entered herein:

- a. Directing Westchester Medical Center to retrieve sperm from Petitioners' son, **PETER ZHU**, and to provide such sperm to a sperm bank or similar facility of Petitioners' choosing;
- b. Allowing Petitioners to use Peter Zhu's sperm for third party reproduction; and
- c. Granting such other and further relief as to the Court seems just and proper.



In the meantime, pending a hearing on this application and further Order of this Court, it is hereby:

**ORDERED** that Westchester Medical Center is hereby directed to retrieve sperm from the Petitioner's son, **PETER ZHU**, and to provide such sperm to a sperm bank or similar facility of Petitioners' choosing for storage until further Order of this Court regarding disposition of such sperm, and that the West. Co. Med. Ctr. has the court's permission to

release to said Facility all information necessary to effect the transmission of such material to the sperm bank or other Facility including

Sufficient cause appearing therefore, let service of a copy of this Order to Show Cause, together with the papers upon which it is based, upon Barbara Kukowski, Esq., counsel for Westchester Medical Center, by e-mail ([kukowskib@wcmc.com](mailto:kukowskib@wcmc.com)) and first-class mail (Westchester Medical Center, 100 Woods Road, Valhalla, New York 10595) on or before the 1st day of March, 2019 be deemed good and sufficient service.

(but not limited to HIV and hepatitis related information.)

Answering papers, if any, shall be served upon **Copps DiPaola Silverman, PLLC, Joseph R. Williams, Esq.**, by email ([jwilliams@theCDSlawfirm.com](mailto:jwilliams@theCDSlawfirm.com)) and first-class mail (126 State Street, 6<sup>th</sup> Floor, Albany, New York 12207) on or before the 14 day of March, 2019.

Signed this 1<sup>st</sup> day of March 2019.

  
HON. John P. Colangelo  
JUSTICE OF THE SUPREME COURT

**Personal appearances ARE / ARE NOT required on the return date.**

cc: Barbara Kukowski, Esq.  
Monica Zhu  
Yongmin Zhu